

**Town Council Minutes
Morehead City, North Carolina**

Tuesday, May 14, 2013

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, May 14, 2013, at 5:30 p.m., in the Municipal Chambers located at 202 South 8th Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	Harvey N. Walker, Jr.
COUNCIL:	George W. Ballou
	Bill Taylor
	Demus L. Thompson [Arrived at 6:00 p.m.]
	Diane C. Warrender
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III, Derek Taylor, Mike Taylor
OTHERS:	Keri McCann; Myles Stempin; Garland Terry; Bill

Dixon; Tom Kies; Holly Fletcher; Stephanie McIntyre; Rick Goff; Porter Wilson; J. B. Bagby; Dick McKeon; Mark Hibbs, Reporter, THE CARTERET NEWS TIMES; Dale Gillikin; Carolyn Giles; Richard Abell; Lt. J. S. Covington; Mindy Fitzpatrick; Clark Jenkins; Arthur Gill; Norma Wagaman; Haywood N. Wilder, Jr.; Rebbecca Basden; Wanda Bennett; Laura Dixon; Chris Dixon; Police Chief Wrenn Johnson; Police Captain Bernette Morris; Kelly Guthrie; Lyle Evans and several others

I. Regular Meeting Call to Order

Mayor Jones opened the meeting at 5:30 p.m., Councilman Thompson gave the invocation, and all joined in The Pledge of Allegiance.

II. Special Presentations:

II.A. Mayor's Proclamation "May is Mental Health Month"

CoastalCare is the local government agency that provides access and oversight of services for Mental Health, Intellectual/Developmental Disabilities and Substance Abuse in the five [5] counties of Brunswick, Carteret, New Hanover, Onslow and Pender. May is Mental Health Month and CoastalCare requested that the proclamation be read at the Council Meeting. Mayor Jones presented the proclamation to Rebecca Basden, Public Information Officer from CoastalCare.

II.B. Mayor's Proclamation "Declaring the Week of May 18-24, 2013 as National Safe Boating Week in the Waters Around Morehead City"

Each year 700 people die in boat-related accidents in the United States. Many would have been saved had they worn life jackets. The Mayor's Proclamation not only declares the week of May 18 to 24, 2013, as National Safe Boating Week in the waters around Morehead City, but also the necessity for wearing life jackets by the boating public. Mayor Jones presented the proclamation to Interim Commander Richard McKeon and Past Commander J.B. Bagby of the Fort Macon Power Squadron.

II.C. Resolution 2013-19 Commemorating the Fiftieth Anniversary of Carteret Community College

For over 50 years Carteret Community College has been a part of the social, cultural and economic growth of Carteret County. The College was founded on July 11, 1963, and in addition to providing academic opportunities to students, the college also provides entertainment, seminars and public meetings for the entire community. The College provides outstanding opportunities for all to prosper and grow. Mayor Jones presented the resolution to Wanda Bennett, Director of the Small Business Development Center and Chair of the 50th Anniversary Committee.

II.D. Resolution 2013-21 In Appreciation to Deputy Chief Garland Terry Upon His Retirement from the Morehead City Police Department on April 1, 2013

II.E. Resolution 2013-22 In Appreciation to Captain William “Bill” Dixon, Sr. Upon His Retirement from the Morehead City Police Department on May 1, 2013

Deputy Chief Garland Terry began his career with the Morehead City Police Department on June 6, 1994 and served the citizens of North Carolina for more than thirty years rising to the position of Deputy Chief just prior to his retirement on April 1, 2013.

Captain William “Bill” Dixon, Sr. began his career with the Morehead City Police Department on January 10, 1994, and served the citizens of North Carolina for more than twenty years rising to the position of Captain on July 1, 2010. He retired on May 1, 2013.

The Town of Morehead City wishes these two Police Officers the best as they begin the next phase of their lives called “retirement” and thanks them for their many years of service to the people of Morehead City. Mayor Jones presented each with their respective resolution.

Garland Terry stated it was an honor to be part of the Morehead City Police Department and the City organization as well. He thanked Morehead City for giving him the opportunity to serve and stated it was comforting to realize the capabilities of the young up and coming officers who are in the Police Department.

Bill Dixon stated it was an honor and privilege to serve and offered thanks to the people of Morehead City for this opportunity.

III. Adoption of the CONSENT AGENDA

III.A. Approval of Minutes: Tuesday, April 9, 2013, Regular Meeting

Approved the Council Minutes of Tuesday, April 9, 2013, Regular Meeting and dispensed with the reading.

III.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for April 2013; and Accept the Finance Director and Tax Collector Reports for April 2013

There were no requests for the release of overpayment of ad valorem taxes for April 2013. The Council accepted the Finance Director and Tax Collector Reports for April 2013. [Attached to and made a part of these minutes herein incorporated by reference are the Finance Director and Tax Collector Reports for April 2013.]

III.C. Adopt Resolution 2013-18 Declaring the Service Weapons and Badges Carried by Deputy Chief Garland Terry; Captain William Dixon; and Corporal Antonio Piroleau as Surplus and Authorize Award to Them upon Their Retirements

As is customary when certain police officers have had an outstanding, long time career with the Morehead City Police Department, the service weapons and badges of these officers are declared surplus by the City and awarded to the officers upon their retirements.

Adopted Resolution 2013-18 declaring the service weapons and badges carried by Deputy Chief Garland Terry; Captain William Dixon and Corporal Antonio Piroleau as surplus and authorize their award to these officers upon their retirements. [Resolution 2013-18 is attached to and made a part of these minutes herein incorporated by reference.]

III.D. Adopt Resolution 2013-21 In Appreciation to Deputy Chief Garland Terry Upon His Retirement from the Morehead City Police Department on April 1, 2013

Adopted Resolution 2013-21 in appreciation to Deputy Chief Garland Terry upon his retirement from the Morehead City Police Department on April 1, 2013. [Resolution 2013-21 is attached to and made a part of these minutes herein incorporated by reference.]

III.E. Adopt Resolution 2013-22 In Appreciation to Captain William “Bill” Dixon, Sr. Upon His Retirement from the Morehead City Police Department on May 1, 2013

Adopted Resolution 2013-22 in appreciation to Captain William “Bill” Dixon, Sr. upon

his retirement from the Morehead City Police Department on May 1, 2013. [Resolution 2013-22 is attached to and made a part of these minutes herein incorporated by reference.]

III.F. Adopt Resolution 2013-20 Endorsing the 27th Annual North Carolina Seafood Festival and Authorizing Action Necessary for the Event to be Held October 4-6, 2013

At the request of Councilman Ballou, this item was moved to IV. A. New Business.

III.G. Adopt Resolution 2013-24 to Maintain and Support the Current Integrity and Funding for the Parks and Recreation Trust Fund [PARTF]

The North Carolina Recreation and Parks Association has requested support to maintain dedicated funding for the Parks and Recreation Trust Fund [PARTF] which may be in jeopardy due to legislative action. As Morehead City has received this funding in the past for various projects such as the O'Neal Baseball Field, Rotary Park, City Park and improvements to the Parks & Recreation Facilities at 1600 Fisher Street, it would be appropriate to lend the support of Morehead City by adopting the resolution.

Adopted Resolution 2013-24 to Maintain and Support the Current Integrity and Funding for the Parks and Recreation Trust Fund [PARTF]. [Resolution 2013-24 is attached to and made a part of these minutes herein incorporated by reference.]

III.H. Award of Contract #80 for the Septage Receiving Station to the Low Bidder, Thomas Simpson Construction in the amount of \$56,775

The Septage Receiving Station will receive sewage from contract haulers [which are currently dumping in a manhole on 24th Street]. The site which is located on Ferebee Road next to Lift Station #9, will be a locked and controlled location and will also give the City a location for the sewer Vac truck to dump as well. The project will be funded from the revenues the City receives from the haulers. The bids were opened on April 16, 2013 with the following results:

Thomas Simpson Construction	\$ 56,775
Hardy Construction	\$ 65,860
George Raper & Son	\$103,078
T.A. Loving Company	\$137,200

The Public Utilities Committee of the Council reviewed the bids and recommended its award to the low bidder.

Awarded Contract #80 for the Septage Receiving Station to the low bidder, Thomas Simpson Construction in the amount of \$56,775.

III.I. Approve an Agreement with the Big Rock/Blue Marlin Tournament for the Acceptance of the Gift of the Bronze Sculpture, \$50,000 and Other Terms for the Jib Project on the Morehead City Waterfront

The Big Rock has offered to provide Morehead City a bronze sculpture and \$50,000 as a gift to the citizens of Morehead City to be used as a part of the Jib Waterfront project. Morehead City will accept the marlin sculpture on behalf of its citizens and will place it as the centerpiece of the Jib project. In addition, the Council agrees to accept a contribution of \$50,000 from Big Rock and to utilize such funds to help offset some of the cost of construction of the fountain. The agreement also sets the parameters for the installation and maintenance of the fountain in addition to the naming rights, signage and use of the designated boat slip. The approval of this agreement will set the terms of the gift and the obligations of both parties. The Public Works Committee of the Council reviewed the proposed agreement at their last meeting.

Approved an Agreement with the Big Rock/Blue Marlin Tournament for the acceptance of the gift of the bronze sculpture, \$50,000 and other terms for the Jib Project on the Morehead City Waterfront. [The agreement is attached to and made a part of these minutes herein incorporated by reference.]

III.J. Adopt Resolution 2013-19 Commemorating the Fiftieth Anniversary of Carteret Community College

Adopt Resolution 2013-19 Commemorating the Fiftieth Anniversary of Carteret Community College. [Resolution 2013-19 is attached to and made a part of these minutes herein incorporated by reference.]

Councilman Ballou requested to remove Item III.F. from the CONSENT AGENDA and place this item under New Business. The Council concurred.

Councilman Ballou MOVED, seconded by Councilman Taylor and carried unanimously, to adopt the CONSENT AGENDA in one [1] motion with the exception of Item III.F. which was placed under New Business.

IV. New Business: Adopt Resolution 2013-20 Endorsing the 27th Annual North Carolina Seafood Festival and Authorizing Action Necessary for the Event to be Held October 4-6, 2013

This is the 27th year for the festival which promotes seafood and the fishing industry in North Carolina. The festival has great economic impact to Morehead City and the Crystal Coast and also fosters monetary support for the various charities that participate. The Public Works Committee of the Council reviewed the request at their last meeting and discussed the options for handicapped parking areas during the festival. The Committee recommended approval with minor changes to the proposed resolution which have been incorporated into the resolution.

Councilman Ballou spoke about the way the handicapped parking at the Seafood Festival was handled in previous years. For the 2013 Festival he proposed that a new area for temporary handicapped parking could be the 800 block of the south side of Arendell Street.

Councilman Taylor concurred that the 800 block of Arendell Street is central to the downtown area and easy to get to. However, he pointed out that the Public Works Committee should look at having the handicapped parking spaces re-signed because many of the areas were difficult to see and differentiate from regular parking spaces.

City Manager Whitlow commented that he has discussed this with Public Works Director David McCabe. The area could accommodate seven [7] parking spaces. These spaces would be temporary for the Seafood Festival only and it should be noted that these spaces are not handicapped compliant.

Councilman Ballou further commented that these handicapped spaces would be outside the Seafood Festival area, but the Morehead City Police Department would be responsible for enforcement and would patrol the area.

Councilman Thompson spoke about the difficulties of enforcement of handicapped parking and basically that the spaces should be only for individuals in wheelchairs. He requested that the Seafood Festival Security should do all to keep the spaces as they were meant to be used.

City Manager Whitlow stated that the Morehead City Police Department will do its best to see that the spaces are used by handicapped individuals only.

Councilman Walker requested that Mr. Rick Goff, who was on the AGENDA to discuss handicapped parking at the Seafood Festival under Item V. Citizen Requests/Comments approach the Council on this matter at this time.

Mr. Rick Goff, 1816 Shep Willis Drive, Morehead City stated that parking at the Seafood Festival is difficult for everyone. He requested that handicapped parking be placed on the south side of Arendell Street from 7th to 10th Street for easier access. He expressed the hope that this is something that could happen this year. He spoke about past prior years and the designation of the handicapped spots and that the State Port parking is not provided on Friday. He also acknowledged that the handicapped spots must have legal signage in order to be viable for ticket writing.

Councilman Walker replied that it was the responsibility of everyone to solve the problem. He continued that the individuals who are responsible for the NCSF are the finest, and that Mr. Goff should be able to speak with them directly to resolve this problem.

Councilman Ballou MOVED, seconded by Councilman Walker, and carried unanimously to adopt Resolution 2013-20 Endorsing the 27th Annual North Carolina Seafood Festival and Authorizing Action Necessary for the Event to be held October 4-6, 2013, on the Morehead City Waterfront, and to defer all handicapped issues back to the Morehead City Public Works Department for further review. [Resolution 2013-20 is attached to and made a part of these minutes herein incorporated by reference.]

V. Old Business: Approve Carteret County Municipal Initiative Proposal and Adopt Resolution 2013-17 Requesting the Services of the North Carolina Division of Community Assistance

This item was discussed at the April 9th, 2013, Council Meeting whereupon the Council decided to table for further review until this Council Meeting. At the April 9th Council Meeting, City Manager Whitlow reported that Governor McCrory is reorganizing the North Carolina Department of Commerce under with this request would fall. If the Department of Commerce is disbanded, the study would not be undertaken and the City would owe no money. City Manager Whitlow continued that he was advised at that time by Myles Stempin, Director of the Carteret County Economic Development Council [EDC], that this issue could be tabled for another month to see what develops regarding the Department of Commerce.

At the April 9th Council Meeting, Councilwoman Warrender concurred adding that upon reviewing the proposed study she got the impression that the study could demand extra work on the part of City staff to have it implemented and she was of the opinion that the City Departments have no extra employees or time to take on such a project. She recommended tabling this issue until the City had a better idea of what would be necessary in implementing this project and also what would be the effect of the project. Councilwoman Warrender stated that although the cost of the project was not much, the amount of effort needed by City employees could be prohibitive.

Mayor Jones concurred that there were some questions that could not be answered at the April 9th Council Meeting and he asked the Council to table this item until this evening's Council Meeting for a presentation by Myles Stempin, Director of the Carteret County Economic Development Council.

Myles Stempin, gave a presentation on the proposed study which is fully funded. There is much interest in doing this study in Carteret County as a model for the rest of North Carolina. The purpose of this proposed economic development plan is to generate new business investments, job creation, increase small business opportunities and generate retail sales. The study would identify sites, facilities and office/retail space with the focus of keeping business in Carteret County. The study would also focus resources on opportunities which would offer the highest return on investment. The study would require minimal staff time, the North Carolina Department of Commerce and the EDC would complete the majority of the work. The total cost to the City would be less than \$1,070.

Councilman Thompson commented that he was glad to see this study being undertaken.

Councilwoman Warrender commented that she had one [1] concern with the Newport Study which was the survey with a response rate of 7.4%. She was of the opinion that it was an extremely small number to use to set up a strategic plan and she hoped that Morehead City could do better in terms of response participation.

Mr. Stempin explained that the survey was only part of the entire program and that other areas can be emphasized.

Councilman Thompson MOVED, seconded by Councilman Walker, and carried unanimously to approve Carteret County Municipal Initiative Proposal and Adopt Resolution 2013-17 Requesting the Services of the North Carolina Division Of Community Assistance.

V. Citizen Requests/Comments: [2 minute time limit] None.

VI. City Manager's Report: Presentation and Review of Proposed Fee Schedule

A copy of the proposed fee schedule which will be adopted with the FY2013/2014 Budget was distributed to the Council. Many of the fees in the current Fee Schedule have not been adjusted in some time. Individual Departments have been reviewing their current fees with the result that the proposed Fee Schedule is more in line with current costs for services and with fees charged by other local municipalities. This information was sent to City staff on April 16, 2013, for their review and comments.

City Manager Whitlow explained that this was the first draft of the fee schedule, and that changes are still being received from the staff.

Setting the Dates for Special Meetings for Review of FY 2013/2014 Budget:

City Manager Whitlow stated that with regard to Special Meeting dates for review of the FY 2013/2014 Budget, the staff has received clarification from the consultant on the salary survey. He requested that the Council set dates for review of the FY2013/2014 Budget review.

The Council set the dates of Wednesday, May 29, 2013, at 8:00 a.m., and Wednesday, June 5, 2013, at 8:00 a.m., in the Council Chambers in the Municipal Building at 202 South 8th Street for the FY 2013/2014 Budget Review.

VII. Council Requests/Comments:

Councilman Thompson commented on the Morehead City Council adopting a resolution to support the fishermen in the community against the proposed State House Bill 983 to remove some species of fishes from being caught by commercial fisherman. Councilman Thompson stated that he was not against the sport fishing industry, however, from what he could determine from the reports of the supporters of the commercial fishing industry, the proposed bill will kill the fishing industry in Carteret County.

Stephanie McIntyre, Director of the North Carolina Seafood Festival [NCSF] commented that the Seafood Festival supports both the commercial and sport fishing industries and, therefore the NCSF Board of Directors would not take a political standpoint on this issue.

Councilwoman Warrender, who also works for the Carteret County Chamber of Commerce, stated that the Chamber has not taken a stand on the issue also because the members of the Chamber are wide and varied and all must be represented.

Councilman Ballou requested that on the issue of handicapped parking during the North Carolina Seafood Festival [NCSF], if there were any other input from Council members to please forward it to the Public Works Committee. He further commented that it is his opinion that the NCSF works very hard to accommodate everyone.

Stephanie McIntyre again commented that the handicapped spaces provided by the NCSF are ADA [American Disabilities Act] compliant and this is checked very closely every year. She further commented that what the Festival is being requested to do regarding handicapped parking is beyond the scope of the ADA law, but that the Festival was willing to do so.

VIII. CLOSED SESSION per G.S. 143.318.11[a][3] to Approve the CLOSED SESSION Minutes of Tuesday, April 9, 2013, and to Discuss Litigation with the City Attorney

Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously, to enter into CLOSED SESSION.

Councilman Taylor MOVED, seconded by Councilwoman Warrender, and carried unanimously, to return to OPEN SESSION.

Councilman Thompson MOVED, seconded by Councilman Walker, and carried unanimously to approve and seal the CLOSED SESSION Minutes of Tuesday, April 9, 2013.

IX. Adjourn

There being no further business, the meeting was adjourned at 7:10 p.m.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk